

Attorney Docket: 019287-0317339  
Application No.: 10/665,580



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PATENT APPLICATION OF: Gary FERNANDEZ  
SERIAL NO.: 10/665,580  
ATTORNEY DOCKET NO.: 019287-0317339  
FILING DATE: September 19, 2003  
ART UNIT: 2863 CONFIRMATION NO.: 6441  
EXAMINER: Hien Xuan Vo  
FOR: APPLICATION RESPONSE MONITOR

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**Mail Stop Issue Fee**  
Commissioner for Patents  
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**COMMENTS IN RESPONSE TO EXAMINER'S REASONS FOR ALLOWANCE**

A statement of reasons for indicating allowable subject matter was attached to the Notice of Allowance mailed February 15, 2006, for the above-identified application.

The Applicant appreciates the Notice of Allowability for all claims of the present application, but would like to note that each independent claim and each dependent claim is separately patentably distinguishable over the references relied upon by the Examiner as such references do not disclose or render obvious the respective combinations of elements in each respective independent and each respective dependent claim.

For example, none of the references relied upon by the Examiner discloses, teaches, or suggests the computer-based method of formatting rules for monitoring application responsiveness, according to claim 1, which includes:

defining a collection of resources, each such resource being a source of application events; and

defining a first transaction as a timeframe for measuring application responsiveness, the first transaction including a pattern of application events from resources in the collection of resources, the pattern defined as a block of constructs,

wherein each construct in the block of constructs is selected from a group of construct syntaxes consisting of an event construct syntax, a choice construct syntax, a sequence construct syntax, and a last construct syntax, wherein:

- the event construct syntax specifies a category of application events for the pattern to accept;

- the choice construct syntax specifies an option set of constructs from the group of construct syntaxes, any one of which is acceptable to the pattern;

- the sequence construct syntax specifies a sequence of constructs from the group of construct syntaxes, for the pattern to accept sequentially; and

- the last construct syntax specifies a final set of constructs from the group of construct syntaxes, such that the final set of constructs must be satisfied for the pattern to be matched.

Nor do any of the references relied upon by the Examiner disclose, teach or suggest the computer-based method of monitoring networked application responsiveness, according to claim 4, which includes:

- detecting an application instance that has a stream of application events;

- instantiating a finite state machine to recognize transactions in the stream of application events for the application instance, the finite state machine including a collection of states and a collection of transitions, each such transition having criteria for events that qualify to transition between a source state for the transition and a destination state for the transition, the source state and the destination state being among the collection of states;

- associating a first token with an initial state in the collection of states;

- processing the stream of application events sequentially, including, for each such event, comparing the event to a processed transition in the collection of transitions and associating an event token with the destination state of the processed transition if the event satisfies the criteria of the processed transition; and

- recognizing a transaction if a final state in the collection of states is associated with the event token for a candidate event in the stream of application events.

Nor do any of the references relied upon by the Examiner disclose, teach or suggest the computer-based method of monitoring networked application responsiveness, according to claim 5, which includes:

- receiving a message that specifies a measure of responsiveness, a client, a server, and a networked service;

- selecting from a database a path corresponding to the client and the server, and a client set corresponding to the client; and

- adding the measure of responsiveness to an aggregate measure of responsiveness for a plurality of clients, the aggregate measure of responsiveness selected according to the client set, the path, and the networked service.

Nor do any of the references relied upon by the Examiner disclose, teach or suggest the computer-based method of identifying user interface objects in a windowing environment, according to claim 7, which includes:

- constructing a collection of string descriptions of window properties, including generating a base string description for a base window having an ancestry hierarchy of parent windows, and recursively generating subsequent string descriptions of the parent windows by following the ancestry hierarchy;

- calculating a hash of the collection of string descriptions;

- identifying the base window with an object identifier that combines an application name for an application associated with the base window, a numeric length of the collection of string descriptions, and the hash.

Nor do any of the references relied upon by the Examiner disclose, teach or suggest the computer-based method of monitoring networked application responsiveness, according to claim 9, which includes:

- receiving a message that specifies a responsiveness measure, a client, a server, and a networked service;

selecting from a database a path corresponding to the client and the server, and  
a client set corresponding to the client; and

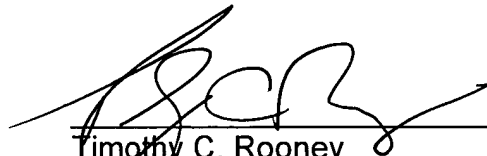
adding the responsiveness measure to an aggregate sample of a plurality of  
clients, the aggregate sample selected according to the set, the path, and the  
networked service.

These comments, in response to the Examiner's reasons for indicating allowable  
subject matter, are timely submitted.

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Dated: May 12, 2006

Respectfully submitted,



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